

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DISTRICT**

UNITED STATES EX REL. RODNEY STAHL,	)	CASE NO. 1:19-cv-01900
	)	
	)	
Plaintiff,	)	JUDGE JOHN R. ADAMS
	)	
v.	)	<b><u>PLAINTIFF'S APPLICATION FOR</u></b>
	)	<b><u>ENTRY OF DEFAULT</u></b>
POSTAL FLEET SERVICES, INC.,	)	
	)	
Defendant.	)	
	)	

Pursuant to Fed. R. Civ. P. 55(a), Plaintiff requests that the Clerk of Courts issue an Entry of Default against Defendant. That rule states that “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default.” Fed. R. Civ. P. 55(a).

Service has been properly effectuated here under two sections of Fed. R. Civ. P. 4. Fed. Civ. R. 4(h)(1)(B) provides that a corporation may be served “by delivering a copy of the summons and of the complaint to an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process.” In addition, Fed. Civ. R. 4(e)(1) provides that service may be made “following state law for serving a summons in an action brought in courts of general jurisdiction in the state where the district court is located or where service is made.” Ohio’s Civil Rule 4.2(F) permits service “[u]pon a corporation either domestic or foreign: by serving the agent authorized by appointment or by law to receive service of process; or by serving the corporation at any of its usual places of business.”

L. Don Dorris is the statutory agent registered with the State of Florida as being authorized to receive service of process for Postal Fleet Services, Inc. *Screenshot from Florida Secretary of State Website*, at Exhibit 1, with declaration from undersigned counsel. Postal Fleet Services, Inc. reports to Florida's Secretary of State that Mr. Dorris is located at the company's principal address of 2808 5th Street N, Suite 501, Saint Augustine, FL 32084. *Id.*

Service was perfected via process server with delivery to that address on October 12, 2021. See *Executed Return of Service*, at ECF Nos. 14. Pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i), Defendants' responsive filings were due within 21 days – i.e. on or before November 2, 2021. As Defendant has not moved nor plead, it is now in default.

Thus, pursuant to Fed. R. Civ. P. 55(a), Plaintiff respectfully requests that default be entered against Defendant, so that judgment can be requested thereafter pursuant to Fed. R. Civ. P. 55(b).

Respectfully submitted,

/s/ Scott D. Perlmutter

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*Attorneys for Relator*

Default Entered 12/22/21  
against Postal Fleet Services, Inc.  
by Sandy Opacich, Clerk of Court  
s/Christin Kestner, Deputy Clerk

**CERTIFICATE OF SERVICE**

The foregoing was served this 21st day of December, 2021 via Regular U.S. Mail to the following:

Postal Fleet Services, Inc.  
2808 5th Street N, Suite 501  
Saint Augustine, FL 32084.

Defendant

/s/ Scott D. Perlmutter  
SCOTT D. PERLMUTER (0082856)